Proceedings and Report

of the

Informal Court of Enquiry

in connection with the collision between

S. S. "BASSANO"

and the

I. G. T. S. "PATRICK STEWART"

KARACHI
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Proceedings and Report of the informal Court of Enquiry into the circumstances attending the collision between the S. S. "Bassano" and the I. G. T. S. "Patrick Stewart" which occurred in the Karachi Harbour on the 24th February 1912.

The Sind Official Gazette.

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

KARACHI, TUESDAY, OCTOBER 15, 1912.

☞ Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART I.

MARINE DEPARTMENT.

No. M-307, dated 15th October 1912.

The following Order of the Commissioner in Sind is published for general information :—

ORDER.

Under instructions from the Government of India, the Commissioner in Sind is pleased to appoint an informal Court of Enquiry, consisting of the District Magistrate of Karachi as a member and President, and Captain A. J. Elliot of the steamship "City of Calcutta" and Captain H. H. Bridger of the steamship "Baron Ogilvy" as members, to investigate the circumstances attending the collision between the steamship "Bassano" and the Indian Government Telegraph Ship "Patrick Stewart," which occurred in the Karachi harbour on the 24th February 1912.

2. In view of the provisions of section 5 of the Indian Merchant Shipping Act, 1883, this Court is not a Court formally appointed under section 7 of that Act. But its procedure should, as far as practicable, be analogous to that of such a Court.

3. The Secretary of State for India, as owner of the Indian Government Telegraph Ship "Patrick Stewart," through the Director of the Persian Gulf Section of the Indo-European Telegraph Department and the owners of the steamship "Bassano," through their Karachi Agents, Messrs. James Finlay & Co., Limited, as well as any individuals whose personal interests may appear to be affected, should be treated in all respects as parties to the investigation, and should be allowed to appear by counsel, and be afforded all necessary and reasonable facilities for the presentation of their respective cases.

4. The Court should make a full and careful investigation of all relevant facts connected with the collision, with special regard to the responsibility for the collision, and the nature and extent of any damage found to have been caused thereby. But it should exclude from its consideration all questions of pecuniary assessment of any such damage. It should also determine whether the collision is attributable to the incompetency or misconduct or wrongful act or default of any individual.

5. The Court should frame definite issues on all relevant questions in dispute, and should report its findings on such issues to the Commissioner in Sind for the information and orders of the Government of India.

6. The Court will assemble at 11 a.m. on Thursday, the 17th October 1912, at the Karachi Port Trust office.

(Sd.) A. D. YOUNGHUSBAND,
Commissioner in Sind.

Proceedings in an enquiry into the circumstances attending the collision between the steamships "Bassano" and the Indian Government Telegraph Ship "Patrick Stewart" which occurred in the Karachi harbour on the 24th February 1912.

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(Sd.) H. S. LAWRENCE,
District Magistrate and President,
Court of Enquiry.

21st October 1912.

DIARY.

Thursday, the 17th October 1912.

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(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Friday, the 18th October 1912.

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Proceedings postponed to 19th October 1912 for the remaining evidence.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October 1912.

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(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Monday, the 21st October 1912.

Proceedings commenced—

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(Sd.) H. S. LAWRENCE,
District Magistrate and President,
Marine Court of Enquiry.

Thursday, the 17th October.

Mr. Elphinstone on behalf of Messrs. James Finlay & Co., represents that the enquiry should be held under the Merchant Shipping Act. The "Patrick Stewart" being employed for commercial purposes comes within the Act.

Mr. Raymond—

The Court has no power to go outside the orders which have constituted the Court.

The Court rules that the order of the Commissioner in Sind in the *Sind Gazette,* must be strictly interpreted and followed.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

Issues proposed by Mr. Raymond—

1. Which of the vessels is responsible for causing the collision.

2. What is the nature and extent of the damage caused ... A to the "Bassano."

3. . Do. do. ... B to the "Patrick Stewart."

4. Did the "Bassano" ground as the result of the collision?

5. Was the injury to the stern of the "Bassano" caused by the collision?

6. Is the collision attributable to the incompetency, misconduct, wrongful act or default of any individual.

Mr. Elphinstone agrees to these issues.

Mr. Teckchand has no comments.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Mr. Elphinstone defers cross-examination since the "Bassano" is to arrive to-night and he has received no instructions.

Mr. Potbury, Pilot, is asked to leave the Court.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

CAPTAIN TOWNSEND.

I am Commander of the "Patrick Stewart." I have been 24 years on the steamer: and Commander for a fortnight before the accident: and have commanded her before for close on four years at different intervals.

On the day of the collision the boat was moored at No. 2 Manora Swinging Mooring. I point this out on the map: also the Port Flagstaff.

On February 24th at 7-25 a.m. standard time I cast off. I was on the the bridge, and had been there one or two minutes; and had a look round. I observed particularly the Flagstaff: which had one flag up: which indicated a steamer off the Port.

The signal for a steamer entering the harbour is a blue pennant with a white cross.

I am absolutely positive that this pennant was not there.

If that pennant had been there, I would not have cast off.

We generally expect vessels off the port in the early morning.

A vessel passed the "Patrick Stewart" about 25 minutes before I cast off; and I was on the deck.

When I cast off, Mr. Miller the 2nd officer was on the bridge; the Quarter-master (native) and one or two signalmen.

The Chief Officer, Mr. Carnegie, was on the Fo'castle.

After casting off I turned on the ebb tide on the Port Helm: using the Engines as required.

Cross-examination.

About five minutes after I cast off, I saw a vessel at the entrance of the Harbour—about ¾ to a mile distant.

I point out the spot about the middle of the channel, when I saw the boat. I was broadside on. I continued to manœuvre, to establish myself on the right side of the channel: understanding that it was the duty of the incoming steamer to leave me time. She was coming up against the tide; and was quite under control. My ship was not completely under control owing to the tide and to her position.

When I was within 300'—400' of the Red Channel Buoy No. 2; the "Bassano" had come so far in—being 200' seaward of the Red Buoy,—that I considered it practically impossible to get round to the right side of the channel (Manora side). Up to this time I had been signalling with the whistle that I was under Port Helm, *i.e.*, endeavouring to reach the Manora side of the channel. Seeing that it was impossible for me to cross his bows, I steadied the helm: and steered for No. 2 Red Buoy. I then intended to pass starboard to starboard: and indicated this by blowing two blasts on my whistle.

Very shortly after, the Bassano gave three blasts, indicating that he was going full speed astern with his engines, and dropped two anchors at the same time.

The result was that his bow was canted in towards the buoy, and blocked the passage which had been previously open to me.

Seeing no chance of getting through, I went full speed astern and let go both my anchors: and almost at once the collision occurred. The bows of my ship were almost up against the Red Buoy. The collision occurred at 7-40 a.m., standard time.

I calculate that the "Bassano" travelled about a mile in ten minutes say 6 knots an hour from the time I saw her.

The "Bassano" was making headway at the time she went full speed astern. Her dropping both anchors indicate this.

Damage done to "Patrick Stewart."

One plate a few inches below the waterline was holed: and was also bulged. The plate below was bulged and the butt-strap was started:

The inner plate in this position was cracked : fractured.

[I am referring to notes which I copied on June 20th, from rough notes which I made at the time.]

Two boats were broken entirely, and one boat damaged.

One boat's davit was broken short off, and five davits bent.

All gear attached to the davits was rendered useless.

Several poop awning stanchions were bent.

Coaling post was torn off.

Five or six square posts were twisted and damaged.

Light screens were smashed on both sides.

Bridge awning stretchers were broken. I reported the collision to the Port Officer and the Director-General of Persian Telegraphs. (Exhibits are put in in original, A and B.)

Read over by Captain Townsend.

Cross-examination reserved.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Friday, the 18th October 1912.

FREDERICK WILLIAM TOWNSEND.

(RECALLED).

I held a Pilot's certificate for the Port.

The speed of the "Patrick Stewart" at that time was 7½ to 8 knots full speed.

When I saw the "Bassano" I was to the east of No. 1 mooring buoy.

The "Patrick Stewart" probably drew from 14'-3" to 14'-6" at that time. Due west of No. 1 mooring buoy, the chart shows 55o'-6oo' of depth over 14'.

The "Patrick Stewart" was facing eastwards when I saw the "Bassano."

The length of the "Patrick Stewart" is 226'.

It was just before sunrise; though it was broad day-light.

As I was casting off, the riding lights of the boat could be taken down.

I was therefore showing no lights. Before I cast off, I had not noticed what lights were being shown on the flagstaff to announce ships coming into the harbour. At the time of casting off, the day light was too broad to enable one to see the light in the lanterns. It is customary when a vessel is sighted to exhibit a light on the platform of the lighthouse: I do not know any rule regarding the length of time that that light is exhibited.

I went to No. 2 mooring buoy on 23rd at 11-40 a.m. (log-book). I did not know when I was leaving; I was awaiting orders.

I made a report to the Port Officer on the afternoon of 23rd: the departure report:—The hour of departure was left blank—to be filled in by the Pilot on shore—according to long custom.

The procedure adopted was exactly the same as has been usually followed ever since I have known the ship. We have not however been often kept so long at our moorings before starting.

We had no tug.

The "Patrick Stewart" has never used a tug for turning on the ebb tide.

Other ships do so, when they are large. The "Patrick Stewart" has a steam-launch. If we had attached a stern hawser to the mooring-buoy, we should have swung round with the tide; and we should have headed outwards, but we should have been in the middle of the channel.

I have never seen a boat turned in Karachi harbour in this manner. The sea was calm.

The Patrick Stewart has not a weak whistle. It is a strong whistle for the boat. We use it for morse signals at a distance of 3 miles.

The atmospheric conditions were favourable to hearing it at a long distance that morning.

I put up no black ball, because I had no line across the channel. The red buoy stands 6' out of the water: it was impossible for it to make the hole in the "Patrick Stewart" plating: because the buoy is too weak to do this damage; and the ring would have been pressed down. A small hole was made and was temporarily patched the same day.

The report of February 26th, detailed the damage which I then knew of. I had not been able to make any examination below the water-line.

I went on board the "Bassano" with Mr. Jones. I went to have a look but I made no examination. That was made by the Surveyors.

The davits, boats, &c., were damaged as the "Patrick Stewart" passed the "Bassano." Both my anchors dropped together: about 5o' before I reached the buoy. The "Bassano" was then about 4o' from the buoy.

When we stopped, we were a ship's length or 1½ lengths from the red buoy, when we turned round to her anchors: and the "Bassano" was similarly brought up to her anchors—higher up the channel, and her anchors were 5o'—6o' to the west of the buoy and to seaward of the buoy.

The " Bassano " was herself 50'—60' west and further down the channel, when she stopped.

I do not know how much anchor cable ran out.

Beam of " Patrick Stewart " is 30'.

My anchors were dragged across the bows of the " Bassano."

At the time of the collision, the " Bassano " was 30—35 feet from the buoy: so I should judge; though I could not see it at that moment. The helmsman was Sheikh Baba and one of the signallers was Shamsudin and the other Ghulam Hussein ; I think.

Re-examined.

I could not see the buoy, when it came under our bows: up till then I saw it and was steering for it.

The injury to the " Patrick Stewart " was on the starboard side amidships—the opposite side to that on which the buoy was.

By the Court—

A white square flag with a blue cross indicates a steamer off the Port in sight.

A blue pennant with a white cross indicates a steamer entering the harbour.

I saw the white flag blowing out plainly ; and nothing else on the flagstaff.

Read over by Captain Townsend.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October.

CAPTAIN TOWNSEND.

I do not know if the ring was solid—on the buoy.

I cannot say how long it would take to stop the "Patrick Stewart" by reversing her engines, if she were going full steam ahead—perhaps 4 to 5 minutes.

She has a right handed propeller.

Read over by Captain Townsend.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Monday, the 21st October.

CAPTAIN TOWNSEND.

By the Court—

The anchor chain was taken off No. 2 mooring buoy ¼ of an hour before I started; and was at once shackled to the anchor.

Both my chains were ready to let go the anchors at once. When I saw the "Bassano" I thought she would stop until I could get round to the west of the channel. Two ships can pass in the mouth but do not do so if they can avoid it.

My engines were working satisfactorily but the ship does not answer readily to the Port Helm. She is quick on the starboard.

There were launches and sailing boats in the west of the channel and I could not turn to the west.

The Frank Coverdale at 14 mooring was 3,000' from the Red Buoy.

I have navigated the "Patrick Stewart," as Commander; and taken her frequently out of the harbour. As Chief Officer I did not touch the navigation.

Read over and confirmed.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Thursday, the 17th October.

ARTHUR ALEXANDER CARNEGIE.

I am the First Officer of the "Patrick Stewart": and have been on her since 1896. I hold a Master's certificate. On February 24th I was on the Fo'castle head, when we cast off.

About ten minutes later—I think I first saw the "Bassano."

We had moved perhaps 200' from the buoy.

The "Bassano" was coming eastwards and about to turn into the harbour entrance. I saw her nose just round the land.

We were on the ebb tide.

I hailed the bridge.

When the "Bassano" got into the channel, we blew one blast to indicate that we were on our Port Helm. This was repeated two or three times.

Afterwards two blasts were blown to indicate that we were passing starboard to starboard.

I can only surmise the reason that the Captain had changed his mind; owing to there being no room to cross the bows of the "Bassano." I consider it would have been impossible to cross their bows. The change of intention was necessary. The "Bassano" was perhaps 800' away when the two blasts were given. The 2 blast signal was given at least twice.

The "Bassano" then rang up 3 blasts with her whistle, and I presume went full speed astern.

The 2nd Red Buoy was close under our Port bow at the collision.

The collision was due to the "Bassano" going full speed astern and canting into us. It was this cant which caused the collision.

The "Bassano" could see us when we saw them. I consider that she might have passed us starboard to starboard, when we rang up our 2 blasts; or she might have proceeded on her first course and we should have passed clear. She was against the tide-perfectly under control.

When she first saw us, manœuvring in the channel, she ought to have stopped.

Mr. Elphinstone objects to the opinions of these witnesses.

Cross-examination reserved.

Read over by Mr. Carnegie.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Friday, the 18th October.

A. A. CARNEGIE—*Cross-examined.*

I was on the Fo'castle head,—at casting off.

The "Patrick Stewart" was tackled to the cable with one cable—I do not remember whether Port or Starboard. I do not know whether she left under Port Helm—but she left to eastward.

After sighting the "Bassano" we manœuvred in mid channel: backing and going ahead. I can give no opinion how long it would take the "Patrick Stewart" to stop when going full steam ahead—by reversing her engines.

When I first saw her the "Bassano" was not signalling at all: after she had got well into the mouth of the harbour, she blew several long blasts at intervals—afterwards short blasts indicating that she was keeping to the starboard side of the channel. At the collision, the "Patrick Stewart" was heading right up and down the harbour. She may be said to have been practically round.

We cast anchor before the collision. Both went together.

I do not think we fouled the moorings of No. 2 Red Buoy.

It was not my business to note the signals on the Flagstaff and I did not do so. I do not remember where our boats drifted to, after the collision. I was down below.

I went on board the "Bassano" after the collision. I saw marks on the starboard side, like a scrape on the stern and on the first plate.

The "Patrick Stewart" was scraped along the side: the scraping began 20 feet forward of midship on the starboard side.

Most large merchant ships have a tug to tow them round. The "Patrick Stewart" never uses one.

No re-examination.

Read over by Mr. Carnegie.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

WILLIAM HERBERT MILLER.

I am 2nd Officer of the "Patrick Stewart." I hold a certificate as 1st Mate. I have served on her about 6 years. I was on the bridge with the captain: and entered the times in the log-book. After casting off, five minutes later I saw the "Bassano" coming round the end of the breakwater ¾ to 1 mile away. We were then turning. We blew one blast to show we were under Port Helm.

The "Bassano" came along.

We continued turning: until we saw that we could not cross, and then we put the helm to starboard to steady her; and blew two blasts to show we were under starboard helm.

From our positions at that time we could not have crossed her bows: and on the port side we had room to cross starboard to starboard—in my opinion.

The Red Buoy was right under our bows.

Cross-examination reserved.

Read over by Mr. Miller.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Friday, the 18th October.

W. H. MILLER.

Cross-examination.

I took no special notice of the Flagstaff before we cast off.

Sometime after I saw three flags up.

The Port Officer held an enquiry, and I made a statement before him on that same day.

I cannot say now whether I said then that I saw 3 flags indicating 1 ship east and 2 west at the time of casting off.

I believe it was some time after, that I noticed these flags.

When I saw the "Bassano" we were nearly athwart the tide; *i. e.*, about half round facing E. N. E. We manœuvred then in the channel.

When going astern we did not turn either way.

When I first saw the "Bassano" she was on our starboard side.

The "Patrick Stewart," requires I cannot say how much space to turn in.

The "Patrick Stewart," usually lies up at a mooring near the Telegraph Pier; may be 800' W. of No. 2 mooring.

[The witness examines the chart and states it is exactly 800'.]

And the "Patrick Stewart" can pass from No. 2 to our moorings, water being sufficient.

Our anchor cables did not foul the moorings of No. 2 Red Buoy: nor the cables of the Bassano.

I think, but am not sure whether both our anchors dropped together.

I do not remember by which cable we were shackled to our mooring buoy.

I do not remember a boat of ours fouling the Bassano cables.

By Mr. Teckchand—

Shamsudin was on the bridge—he is a Signalman: he is still in service and in Karachi. I do not know whether he was examined on that day; or that he made any statement.

By Cross-examination.

It is his duty to report any signal that he sees.

By the Court—

Shamsudin made no report that a signal indicating a boat entering the harbour was up. He would report usually to me, but otherwise to the Captain.

Read over by Mr. Miller.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

JHAMATMAL CHAINRAI.

I am clerk in charge of the Tidal observatory.

I have a register here which shows the force of the wind.

On February 24th at 6-25 to 7·0 a.m. Standard time the wind was calm.

6·25. 1 mile per hour.

N.B.—The witness being confused: The register is examined by the Port Officer, Captain Townsend and Mr. Elphinstone—and all agree that the wind up to 7·25 a.m. was about 3 miles an hour: and was calm at 7.40 a.m.

At 7·25 the height of the tide was 2′-1″.

N.B.—The Port Officer puts in a letter from the Chief Engineer to the Port Trust certifying that at 7.45 a.m. the height was 1′-9″.

This is verified in Court by the Port Officer—and confirmed by the witness from examination of the charts.

High water was at 2·14 a.m., and was 9 feet.

Low water at 8·46 a.m. at 1′-3″.

Cross-examination reserved.

No Cross-examination.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

JOHN DUNCAN FRASER.

Superintendent of Machinery,
Port Trust, Karachi.

I am also Government Surveyor.

I examined the "Bassano" on February 24th a few hours after the collision: I took notes and reported.

I tried the stem and found the line was bent 2" to 2¼" though not discernible from a distance.

I went below and found the forepart was filled up with cement up to the 12'-6" mark: the cement was set hard and had been put there on account of some former damage.

I found the marks of a former leak, where there were some rusty rivets.

The bend in the stem was not in the place which had been in contact with the "Patrick Stewart."

The bow plate was a little bulged about a foot from the stem on the port side owing to a chain which was pressed into her by the collision.

I could not see any other damage to the "Bassano."

I asked the Captain why the cement was in the bows. He gave no reason, and no date.

I put in my Survey Report. Ex. C.

[It was written a couple of weeks later from notes taken at the time.]

[*N. B.*—The Report is compared by the Court with another report made on the 24th February and found to coincide.]

I formed the opinion that the ship had been damaged before; and that the bending of the stem was due to this previous accident.

I thought so, because of the cement, and the absence of any explanation of the cement.

Damage to the "Patrick Stewart"—

I did not examine the "Patrick Stewart."

Cross-examination reserved.

Read over by Mr. Fraser.

(Sd.) H. S. LAWRENCE,
District Magistrate and President

Friday, the 18th October.

J. D. FRASER—*Cross-examined.*

When I went down the Fore Peak there were present: Mr. Jones, Captain Boxhall and some other officers of the "Bassano."

I do not remember how we got the figure 12' 6" for the cement. Captain Boxhall did not tell me before that there was cement there. He told me that he did not know why it was put there: or when. I think he said he had been in the "Bassano" since she was new. I asked him when the cement was put there. He said "I do not know." He did not tell me it was in her specification when she was built. I reported that he could give me no information.

The deflection of the stem was 2¼" out; I think to Port: but I am not now sure.

There were marks of collision on the starboard, but I could not say now what.

The plate on the Port Bow was bulged: a bulge in, not bulge out, I speak of.

The water leaking from the rivets was rusty: I saw no rust, that I can now swear to, on the head of the rivets: no other part of the rivets is visible.

The damage to the Port side bow plate was I suppose done by the anchor chain of the "Bassano": but the two ships were starboard to starboard. I patched the hole in the "Patrick Stewart" next day—a small hole.

I reported on the plates damaged to Captain Townsend next day. The bulge on the Port was quite recent, the effect I thought of the collision.

Read over by Mr. J. D. Fraser.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Thursday, the 17th October.

FRANK HENRY JONES.

I have been Shipwright and Engineer of the Port for 23 years: and am Chief Engineer of the "Patrick Stewart": I have been Engineer for 25 years.

I examined the "Bassano" on February 24.

The stem of the "Bassano" was 2" out:

I noticed a dent at 23' draft on the Port side a foot from the stem.

The plate was buckled.

I went inside and noticed the paint cracked.

I think this was due to the anchor cable.

I did not put the damage to the stem to the collision: because the "Patrick Stewart" was too light a vessel, and the impact was not sufficiently violent.

I noticed a cement filling up to 12' draft inside.

I thought she must have had an accident before.

There used not to be any such filling with cement in new vessels. I do not know about modern vessels. I made the examination about an hour after the collision.

I kept notes and subsequently sent in a report. (Exhibit D).

I noticed certain loose rivets and told the captain that these rivets could not have been loosened lately, for they were rusty.

Mr. Fraser asked him the reason of the cement, and the Captain said he could not give him any information.

Cross-examination reserved.

Read over by Mr. Jones.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Friday, the 18th October.

F. H. JONES—*cross-examination.*

I went on board the "Bassano" with the Captain, Chief Officer and Mr. Fraser. Mr. Mayes was not there.

I do not remember Captain Boxhall telling us the height of the cement was 12'—6". We judged the height by seeing the marks outside and then decided it was 12'—6" when we went inside. We did not guess it. I do not remember what the ship was drawing at the time. I have heaps of experience of cement work.

The surface was not smooth, but set as usual. Damp makes a scaly excretion on cement. I saw no such marks.

Tonnage of "Patrick Stewart" is 1115: built in 1879.

I saw rusty water dripping from the rivets: there was no rust on the rivets: the rust came from behind the rivets.

By a bulge I mean a dent, the result of a blow inwards.

At the collision, I was at my station below.

The bend of the stem was towards the Port side.

No diver examined the "Bassano" on behalf of the "Patrick Stewart" so far as I know, but on behalf of Lloyd's, Mr. Mayes surveyed her. On the starboard the "Bassano" had a graze: as if she had been rubbed by something.

I saw no mark on the starboard side of the stem.

Mr. Carnegie accompanied me down the Fore Peak.

I went twice to the "Bassano": and examined her carefully each time.

Re-examined.

The first time with Carnegie, I don't quite remember, if Captain Wilson was with me.

The second time with Fraser, I do not remember any one else.

The Commander did not go down with me.

I believe Mr. Mayes is now in the Lunatic Asylum in Bombay.

Re-cross-examined.

The Captain and Chief Officer of the "Bassano" were down below when I went down.

In my hearing Mr. Fraser asked the Captain what the cement was there for; and he said something like "I can give no reason."

Read over by Mr. Jones.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October.

JOSEPH BOXHALL.

I am master of the "Bassano": and have been so for 3 years now: ever since she was built. I have a Master's certificate and have never had any trouble of any sort.

Her register is 2,762 tons.

We came from Bombay: with cargo. We were then about 8500 tons. My engines Horse Power is 305. In October 1907 she took 2′ 25″ to stop dead, when going full steam ahead, *i.e.*, going about 12 knots. We were drawing 18′ 8″ forward on leaving Bombay; and aft 24′ 0″.

She was in good condition.

She had never had any collision or run aground before that day: nor since.

We arrived off Karachi Harbour at 4-45 apparent time that morning—it was very hazy. Her engines were then put slow, she had been ½ speed from 2-45.

The Pilot boarded at 5-40 to 5-50. We were 2-3 miles out, just rounding to to anchor.

We were stopped when the Pilot boarded.

We then went full speed to the harbour. We were under compulsory Pilotage. I have no Pilot's certificate for Karachi. Pilot Potbury and I were in charge of the boat.

We passed the breakwater at 6-20, and were half way to the outer Red occulting light.

We then went half speed; because we saw a steamer standing across the channel: about 1½ miles distant. I signalled one short blast and then twice or 3 times more short blasts: and we edged off to the starboard side of the channel. This was at 6-20. The "Patrick Stewart," was then on our Port Bow.

At 6-24 we put the engines slow, being then between the first and second black buoys, on the starboard side of the channel.

At 6-27 we stopped the engines, abreast of the "first" red buoy; our head pointing to the second red buoy. The "Patrick Stewart," was then half a point on the Port Bow with his masts open to Port. The "Patrick Stewart," replied to our short blasts with short blasts—twice.

If the "Patrick Stewart," had proceeded on her then course, she would have passed all clear. She was 2 ships' lengths distant when she began to alter her course. She would have cleared Port to Port, from her position at ½ a mile distant. At 6-32 as she gradually opened her starboard side to us, we went full speed astern and gave three long blasts. We were then going about 2 knots.

At 6-27 we first noticed that the "Patrick Stewart" was clear on our port side. The masts were slightly open and the whole of the Port side was visible to us—½ a point on the Port. At this moment, when we stopped, we were ½ a mile away. We then gradually saw the starboard side opening out at 6-32.

I heard no signals from the "Patrick Stewart" except the 2 single short blasts.

At 6-34 we let go both anchors. She was stopped dead at that time. I observed a beacon on the starboard and noted it.

She did not alter her position after that at all. She was 20′ to 30′ from No. 2 Red Buoy.

The "Patrick Stewart" struck our bow in a line with the forerigging of the "Patrick Stewart": right across our stem from our Port to our starboard.

The "Patrick Stewart" let go her port anchor when her funnel was abreast of our stem I do not think her starboard anchor was let go until she had passed us. I think it was at the time on the Fo'castle head. The "Patrick Stewart" was on our starboard quarter when she pulled up: probably a ship or a ship and a half's length away. My ship is 398′ long. I speak of the length of the "Patrick Stewart." My anchor chains were hanging slack; and had not taken the strain. We had let out about 12 fathoms of chain.

I was told a boat of the "Patrick Stewart" had fouled a cable of mine.

Damage—

The stem was twisted 2½″ to Port. A bulge 2′ aft in one of the plates at 17′ mark, and 23′ mark; on the Port side.

When we got into dry dock in England, we found the bottom was pushed up abaft the Fore Peak Bulkhead.

I was present when the boat was surveyed in Dry dock by officials on behalf of the Secretary of State by Captain Seagrave.

The damage then found was entered in the ship's log-book— by the Chief Officer at the time. That is in the possession of the solicitors in London.

The injuries were:

In addition to the stem damage, the shell plating in the bottom just abaft the Four Peak Bulkhead was pushed up:

Also one keel plate aft, and an adjacent plate on each side of the same were buckled.

I consider that these injuries were caused by the ship taking the ground at the collision or in operations taken to avoid the collision: *i.e.*, manœuvring—going astern. On the starboard side we had a graze: about the 23' mark: 4'-5' abaft the stem: probably caused by wreckage— not by the "Patrick Stewart" herself.

The damage to the shell plating looked as if the boat had rested on a hard substance as an anchor.

On behalf of the "Patrick Stewart," the officers who came on board to examine the damage were Captain Townsend, Chief Officer, Chief Engineer, and Mr. Fraser, and the first on board was the Port Officer. I have 12'-6" of cement in the Fore Peak in the forward frame. I told the representatives of the "Patrick Stewart" this fact and gave them the measurement. They could not have found it out otherwise.

We were drawing 18'-7" at the time. The cement was put there before the ship was launched: it is shown in the specification of the ship, which I produce Ex. E. This boat was not built to order: she was bought almost completed by Russells, Port Glasgow. This is the book which was given to me when I took the ship over.

Mr. Fraser did not ask me when the cement was put there, but why. No one asked me when. The cement was last washed over in September 1911.

There had not been any leakage or damp there before. It had been perfectly water-tight.

In my opinion the hole in the plate of the "Patrick Stewart" was caused by her running over the buoy. At no time before the collision was the "Patrick Stewart" on our starboard bow.

When the "Patrick Stewart" was manœuvring we were on her starboard side and the "Patrick Stewart" on our Port. And then she altered her course, and opened her Port side to us.

Up to the collision the "Patrick Stewart" continued on our Port.

To avoid a collision the "Patrick Stewart" could have gone straight out, after her Port side was open.

The "Patrick Stewart" crossed our bows from Port to starboard: our stem was twisted to Port—the wrong way. The damage to the plates abaft the Fore Peak of the "Bassano" was probably caused by the moorings of No. 2 Red Buoy.

The collision took place at 6-35 (6·35=7·4) by my ship's log. Our lights were burning till we finally moored up.

I reported to the Port Officer.

I saw some flags on the Flagstaff; but I am not sure what they were. The Pilot told me our flag was up to come in; no flag was up to show the "Patrick Stewart" was going out and no one knew that she was going out.

Cross-examination.

I would add one hour 5 or 10 minutes to bring my time up to standard. The "Bassano" was coming up against the tide; and was under absolute control. When I first saw the "Patrick Stewart" she answered our one blast that she was under Port Helm. I could not see whether she was moving. I drew the Pilot's attention to her being in the channel. He said that is the "Patrick Stewart" and no one knew she was going out.

I knew from her whistle that she was manœuvring.

I knew she was coming out.

It did not strike me that it was my duty to stay where I was.

I told the Pilot we had better stop and give her a chance to get round to her proper side of the channel. I thought it would be safer to do so. We stopped.

When we first saw the steamer we eased down.

At 6-27 when I told the Pilot we had better stop, he agreed.

I knew the steamer was in the ebb : she was then round.

She was absolutely under control with her Portside open.

I did not hear the "Patrick Stewart" give 2 signals to show that she was changing her course.

The Pilot did not tell me her signals indicated that she was going starboard and starboard.

I saw her change her course. She was then 400' from Red Buoy No. 2.

I could see she was going towards the Red Buoy.

I could not say why.

I can give no reason why when she was clear Port to Port she should try and pass starboard to starboard.

I was 200' away from the Red Buoy when the "Patrick Stewart" was 400' away. My ship was still going ahead, although my engines were stopped.

There would not have been room for the "Patrick Stewart" to pass between us and the Red Buoy, because we were both going ahead.

The "Patrick Stewart" avoided the safe course of passing on the Port, and adopted the dangerous course of crossing our bows to get to the starboard. We had had our engines stopped for five minutes, at this time. I cannot judge how far away she was: perhaps two ships' lengths. Our ship was still moving.

At this moment I went full speed astern, and 1½ minutes after dropped both anchors. We were then 30' from the buoy.

My ship did not cant at all. I heard no 3 blast signal from the "Patrick Stewart".

My propeller is right handed.

I do not know if the "Patrick Stewart" was in the narrowest part of the channel.

I do not know how much water was under the "Bassano"; at the collision. I think she grounded then: I said to the Port Officer: if she is not aground, she is very near it. I thought so, because she never altered her positions, even when hit by the "Patrick Stewart". The only reference to cement in the specification is in the passage on page 14.

Re-examined.

It was the last of the ebb-tide-practically finished.

After the collision we starboarded our helm and came out ahead.

By the Court—

In the repairs, the plates at the stem were taken out and replaced; and the cement has been altered; and is now filled in solid in the fore compartment.

Read over by Captain Boxhall.

(Sd.) H. S. LAWRENCE,
District Magistrate and President

Monday, the 21st October.

CAPTAIN BOXHALL.

(RE-CALLED).

The stem itself was taken out in the course of the repairs. When the "Bassano" was built the cement was up to 12' 6". The weight of the "Bassano" was 9,100 tons.

We had heavy rails and bridge work, in holds Nos. 1, 4 and 5.

The damaged plates in the keel were under No. 5, towards the stern.

Re-examined.

I did not see the stem taken out.

Read over by Captain Boxhall.

(Sd). H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Saturday, the 19th October.

EDWIN ERNEST POTBURY.

I am a certificated Pilot, of the Port.

On February 24th I brought in the "Bassano." When we were well round the breakwater end, we first saw the "Patrick Stewart". She was heading across the channel eastward, athwart it, with her starboard side to us.

We were going ½ speed.

I blew a loud blast to attract her attention; and then a signal with one short blast, showing that I was altering my course to starboard and keeping on the eastern side of the channel.

At first she was ¾ to a mile away.

I then went slow.

And soon after stopped.

She was coming rapidly round, and showed Port to Port.

She was clear in this position: at a distance of four ships' lengths; at the time when she altered her mind. I take it this represents 1000'. I had been stopped for some time, when I heard two blasts, indicating that the "Patrick Stewart" was altering her intention, and was going to cross my bow, and pass starboard to starboard.

I at once went full speed astern and dropped my anchors, as I knew it was impossible for her to do so, or for me to get out of her way, she had her Port side open for some time before starboarding; for how long I cannot say.

I saw the "Patrick Stewart" cast off her anchors: the port anchor immediately after the collision: the starboard anchor a good deal later. At the collision the "Bassano" had no way on whatever.

I was 50' off the red buoy, and the "Patrick Stewart" her own length on my starboard quarter, when the "Patrick Stewart" pulled up.

I could not see the buoy from the centre of the bridge. I guess that distance. The "Patrick Stewart," was at no time on my starboard side before the collision.

Several courses were open to the "Patrick Stewart," when she first saw us:

She might have gone astern and dropped her anchors; and swung back with the ebb-tide.

The channel there is about 800'. (By the chart 820'—verified). If she had kept on her Port Helm, she could have cleared, and gone straight out.

It is not usual for boats to turn without a tug from mooring Nos. 1, 2, 3, 4 or 5.

A vessel not under control hoists 2 black balls 6 feet apart where they can best be seen. No such signal was shown. The "Patrick Stewart" told us by her blasts what she was doing and must have been under control. It is not necessary for a vessel to have a line across the channel to require them to put up two black balls—if it is not under control.

At the collision my anchor cables were leading up and down.

It is not usual to turn a boat by attaching a hawser to the buoy. I heard the "Patrick Stewart," whistle, but no one else heard it on the "Bassano." I do not say it is a weak whistle; but we heard no whistle for full speed astern.

I have handled the "Patrick Stewart," as a Pilot. She is a handy ship. The tide was slack, being at the end of the ebb.

Cross-examined.

I knew it was the "Patrick Stewart," when I first saw it. I don't remember telling the Captain so, but probably did. I knew she was moving. She was on the right side of the channel then. She was crossing to the other side. By the rule of the road No. 19, I was not supposed to stop. It did not strike me to stop.

I knew she was coming out on a slight ebb tide. It did not strike me that she was not absolutely under control. I would not have stopped unless she hoisted the signal of not being under control. I made a statement to the Port Officer. I told the Port Officer that if I had

had orders that the "Patrick Stewart" was leaving I would have waited outside. I also said had I known that she was moving I would not have entered the Port. The Port Officer understood the last sentence and the meaning of the preceding sentence.

I did not think it necessary to anchor when I saw the "Patrick Stewart" moving.

It is customary for ships to pass each other in the channel at the mouth of the harbour: it has been so for eight years since I have been here.

Before sighting: I went ½ speed, *i. e.*, under 4 knots; and after sighting I went slow on about 2—3 knots. Before she blew the signal Starboard—she had manœuvred round to Port.

I have known Captain Townsend for eight years. I have never known him handle a ship. He has always obeyed orders from Captain Tindall—at the Fo'castle head.

She was perfectly safe—going out Port to Port. I have no idea why she altered her course. I told the Captain that I had heard two blasts: indicating that he would cross our bows to get to the starboard.

The "Partick Stewart" was then 400' to 600' from the Red Buoy: and we were about 200'.

After the signal 2 blasts—she steadied first, and then started to starboard his helm, in order to go to Port.

She was trying to head to the Red Buoy. I don't know whether there was room for her to get between the Buoy and the "Bassano."

The "Bassano" was making headway: and after going full speed astern, she was making very little if any headway.

The anchors were dropped, in order to steady her, and prevent her canting; and making any headway, if there was any.

She might have canted slightly—a trifle towards the Red Buoy: and after the "Patrick Stewart" hit her she canted.

Before the collision, she canted very slightly.

It was not because of that canting that she ran into the "Patrick Stewart". There is no signal for a ship partly under control.

I am not aware of the "Bassano" running aground. I think I would have known it, it she had run aground.

I believe there was 4' of water under the "Bassano."

Re-examined.

By 'moving' I meant "going out of the harbour."

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October.

JAMES WILSON.

I am Chief Officer of the "Bassano", and hold a Master's Certificate.

I have been there since she was new—3 years.

On 24th February 1912 when the pilot came on board I was on the bridge with the Captain. At 6-5 I went to the Fo'castle Head: and stayed there till we moored.

I saw the "Patrick Stewart": she was across the channel.

The "Bassano" was just round the breakwater—1½ or 1¾ miles away. She was on our Portside—we were on her starboard.

We blew one blast—I think two or three times.

We were on the starboard side of the channel.

We were going about 4 to 5 knots less than ½ speed.

As we came down the channel, she was swinging head out.

She swung round until she opened her Port side to us. She was then ½ to ¾ of a mile away. She continued showing her Port side up to 2 ships' lengths: and then went right across our bows: and struck us a few feet abaft her forerigging.

At no time until after the collision was the "Patrick Stewart" on our starboard side.

When she pulled up to her anchors, her stern was 30' to 40' away abreast of us. The two vessels were side by side. That is before she swung round on her anchors. Her stern was abreast of our Fo'castle Head. She was heading somewhat east to the groyne.

The "Patrick Stewart" let go her anchors after the collision: the Port first, and some time later the starboard.

One of the boats of the "Patrick Stewart" was in between the ship's bow and the starboard anchor cable. The cables were hanging up and down. The anchors are Patent Stockless and fall in a few seconds.

We were stopped when the collision took place.

The Red Buoy was 20' to 30' away when we were struck.

We were not pushed any way by the collision. We remained stationary: probably because we were "smelling the ground," *i. e.*, touching the ground. We had 9 or 10 fathoms of chain out.

We have cement in the stern since the boat was built. It was last washed some 2 months before the collision. It was in perfect order. I was present at the examination of the "Bassano" at Hull, by the Surveyors for the Government of India. I entered a note in the log book of the damage found. I identify a copy of the note. I saw that the damage there noted was done. Before I saw the damage in Dry dock I was of opinion that she had touched the ground; because no weight came on the cables.

Cross-examined.

I told the Captain of my suspicion that she had been on the ground. I gave a statement to the Port Officer. I do not remember whether I told him so.

The pilot was aboard. I told him. He offered no comment.

A few minutes later we went to our moorings. I do not know if we went away without any difficulty. I do not know if any mention of grounding was made in the report to the Port Officer.

I made an entry in the log book: no one was present—that is when she was examined in dry dock at Hull. In Karachi I made no such entry. I knew the "Patrick Stewart" was

going out when I first saw her. I did not hear the 2 blasts. I heard one faint blast on her whistle, indicating a change of course to starboard;

I thought it perfectly reasonable—not an act of madness.

She was two ships' lengths from the Red Buoy then.

We were 25'-30' from it at the time.

There was not enough room for her to pass.

I thought her steering geer must have gone wrong: and was out of control. I expected a collision. We prepared to stand clear. We let go both anchors—and were motionless.

The 2nd anchor of the "Patrick Stewart" went 2' to 3' after the first.

Re-examined.

I reckoned 250' = a ship's length.

Read over by Mr. Wilson.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October.

DONALD MUNRO.

On 24th February 1912, I was in No. 14 mooring, having brought in the Frank Coverdale, about 7-10 a.m.: across the channel to the east north-east of No. 2.

I saw the "Patrick Stewart" cast off.

I was on the bridge.

She showed no lights.

Sun rose at 7-31 standard.

No intimation of the "Patrick Stewart" going out had been given to the Pilots. Intimation is always given. I have never known it omitted before.

I did not notice the lights or Flags, at the station.

I saw her going ahead on her Port Helm.

I saw the "Bassano," coming in.

I noticed both ships together.

The "Patrick Stewart" went half way across the channel and then went astern.

The channel is there 850'.

The "Bassano" was rounding the breakwater.

The "Patrick Stewart" had the "Bassano" on her Port side when I saw them. I could see between the two ships Port to Port.

At starting the "Patrick Stewart" had the "Bassano" to starboard.

I was mooring my ship and did not notice her manœuvres.

I saw the "Patrick Stewart" alter her course.

The "Bassano" altered her position but not her course: but when she went full speed astern her stern canted into the channel: but not to a perceptible degree.

The "Patrick Stewart" would have come back to No. 1 mooring if she had kept her Port Helm: and no collision could have occurred.

I think the boats were 600'-700' apart when the "Patrick Stewart" started altering her course.

I saw the "Patrick Stewart" steady her helm, continue on that course for a few minutes, and then starboard her helm: and this caused the collision.

The "Bassano" was 60'-70' at the collision, from the Red Buoy. The "Patrick Stewart" could have backed her engines when she saw the "Bassano"; or she could have gone to the west of the swinging moorings: on the Manora side.

If she had kept her helm aport she would have cleared her Port to Port.

Cross-examined.

I noticed no signals on the Flagstaff.

To the Court—

It is not usual to put up signals by flag before sunrise.

Before sunrise on the light house lights are shown—one for entering and two for leaving the Port.

Cross-examined.

By Mr. Raymond—

The Captain of the Frank Coverdale and the man at the wheel were with me, when I saw the "Patrick Stewart" manœuvres.

There was no ship moored in front of No. 14.

I watched the "Patrick Stewart" because I saw she had no navigation lights: and because I knew another ship was coming in; and I expected trouble.

I said this to the Captain.

The Captain was not there all the time.

I stopped and watched her. I did not tell anybody I expected an accident: nor later to the Port Officer.

I heard of his enquiry: I did not offer my evidence. I do not know if I told Potbury; I talked it over with him and with hundreds more. They asked me about it often. I can't remember if the Port Officer asked me.

The "Patrick Stewart" moved from Telegraph mooring to No. 2. I do not know of word being given that she would move as soon as orders were received. A ship was at No. 13 that morning.

Re-examined.

If word had been given of her moving—it would have been entered in the order book and all Pilots would have known it.

Read over by Mr. Munro.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Saturday, the 19th October.

H. D. BENNIE.

I am a licensed Pilot of Karachi. The Frank Coverdale is not now in harbour.

On 24th February 1912 I saw the whole manœuvre from start to finish of the "Patrick Stewart." I started from the Pilot Pier on the Manora side, 700' due west of No. 2 Mooring. The "Bassano" was in sight rounding the breakwater from the Pilot Pier distant 7,000': at 7-25 a.m. I was going out in my cutter, to get a tow from the "Patrick Stewart"; to bring in the Hazelmore.

I was abreast of No. 1 Mooring buoy.

The "Patrick Stewart" went ahead 300' and then ported, and then backed into mid channel. She was in the middle of the channel the whole time—which is there 850 feet broad. I have handled the "Patrick Stewart." She can turn round in 680'.

The "Bassano" was keeping the Starboard side of the channel as close as possible for safety.

When I was at No. 1 buoy, the "Patrick Stewart" was athwart the channel, in act of canting, and manœuvred till when abreast of No. 1 she was heading down channel with the "Bassano" right ahead. The "Patrick Stewart" had the "Bassano" on the Starboard bow or right ahead—always up to them on the Starboard side.

The "Patrick Stewart" was blowing one blast indicating that he was on his Port Helm, or altering his course to starboard, the "Bassano" was making the same signal: and was on the starboard eastern side of the channel.

When the ships were 600' to 700' apart, the "Patrick Stewart" blew two blasts and altered her course to Port.

I was then 50'—60' from the "Bassano".

Up to this point the two vessels were end on.

If the "Patrick Stewart," had continued on the Port Helm she must have gone clear of the "Bassano".

When the "Patrick Stewart" altered her course to Port—the "Bassano" blew 3 blasts—went full speed astern and dropped both anchors. The "Patrick Stewart," collided.

I could not say whether she steadied at all before altering her course.

The "Patrick Stewart," let go her anchors after the collision. I heard one let go. I saw the starboard anchor on the Fo'Castle tumbled, ready to let her go. I do not know if the cable was shackled on.

I know nothing of the other anchor. The "Patrick Stewart," came to a stop and swung towards the groyne. I saw the Red buoy pass under her stern. She ended—headed due to stern due E. I could not judge the distance between the ships. If the "Patrick Stewart" had dropped her anchors and gone full speed astern no collision would have occurred—at 600' distance.

Read over by Mr. Bennie.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Monday, the 21st October.

PILOT BENNIE.

The "Bassano" had the "Patrick Stewart" all the time through the manœuvre on the Port side.

The "Bassano" had no perceptible way on her at the collision. She did not cant over perceptibly when she dropped her anchors, and went astern.

I have navigated the "Bassano": she has a right handed propeller. The action would have been to draw the stern into the channel.

I do not know if a Pilot shifted the "Patrick Stewart" to No. 2 mooring on the 23rd.

If she had been so shifted, it would have been in our Order book.

At night one green light shows a ship entering, and two a ship going out.

The lights are changed for flags at sunrise at the notified time of sunrise. The lights are used till the flags go up.

A signal for a steamer off the harbour is changed for one entering the harbour, when the Pilot boards the vessel.

Pilotage is compulsory. Anchors hold well in Karachi harbour. There was no reason why the "Patrick Stewart" should not have gone to the west of the Mooring Buoys.

Cross-examined.

Pilotage is not compulsory for Government ships.

The "Patrick Stewart" has often moved from No. 2 mooring without a Pilot. The Port Officer held an enquiry shortly after the collision.

I never told the Port Officer what I had seen. I was asked by him whether I had seen the flags: this was on the following day.

I knew then that he was going to have an enquiry.

I did not tell him then that I had seen the whole affair. I understood he knew.

I told him I had seen the flag of my incoming steamer only.

I knew Captain Wilson was enquiring with reference to the collision. I told him nothing more, because he must have known I knew and was an eye-witness of the whole affair. I do not remember telling any one in particular what I saw.

Mr. Potbury never spoke to me about it, at the time, but later on that day before the enquiry; and told him I was an eye-witness. He did not tell me I must come as witness. I saw no flag signal of a ship entering the harbour; nor any lights. The lights are not removed until the sun actually rises.

I have been 4 years a Pilot.

I saw the "Patrick Stewart," casting off: and at the same time the "Bassano," from the Pilot Pier.

There was very little tide: I observed it being in the cutter.

I had no reason whatever to expect a collision then.

I heard the "Patrick Stewart," whistle indicating her course to the Manora side: and later the two blasts indicating her change of course to the east. At this latter moment I was about 600'-700' from the "Patrick Stewart." At that time the "Bassano," was the same distance. I was abreast of her bows.

The Red Buoy was 400'-500' from the "Patrick Stewart."

I heard the 2 whistle blasts, quite plainly: and the "Bassano," replied by three blasts—(*i.e.* engines full speed astern).

I was 50' in the channel to the west of the "Bassano."

The "Bassano" was then 150'-200' from the Red Buoy.

The "Bassano" was 600'-700' from the "Patrick Stewart."

There was no possibility of a collision resulting from the "Bassano" going astern at that moment.

There was ample room on the Manora side for the "Patrick Stewart" to have gone that side.

I understood from her signal of 2 blasts that she was steering towards the Red Buoy—to cross between it and the "Bassano."

It was a positively [insane—(objected to by witness)] dangerous course for her to take. She was to cross the bows of the "Bassano" and was running on to her positive destruction.

I can give no reason for Captain Townsend adopting such a course. I have known him 4 years. He must be a man of some ability and common sense, or would not have a Master's certificate.

The Red Buoy was at the collision under the bows of the "Patrick Stewart."

The "Bassano's" 3 blasts followed at once on the "Patrick Stewart's" 2 blasts and I was in the same position.

The "Bassano" was under weigh; and after going full speed astern she did not perceptibly cant. Had she done so, I would have seen the stern cant, but not so much the bows.

I deny the Chief Officer's statement that she canted, to this extent that it was not perceptible to me. The "Bassano's" anchors were let go simultaneously with the 3 blasts. The collision occurred from 5 to 7 minutes later.

The "Bassano" should not have run aground: she should have had plenty of water. I think I would have known of it, if she had.

She must have heeled over if she had. If she had heeled I would have noticed it at once.

The water is discoloured even if there are 6'—8' under the propeller.

I thought at the time there was 5' under her.

The "Patrick Stewart" was 500'—600' when the "Bassano" dropped her anchors. The "Patrick Stewart" knew the "Bassano" was going fell speed astern.

There was not enough room then for the "Patrick Stewart" to pass with safety between the Red Buoy and the "Bassano."

At that time the "Patrick Stewart" would have been in perfect safety if she had continued on the Port Helm. It was not a reasonable act on the part of Captain Townsend to change his course.

Re-examined.

If the "Bassano" had taken the ground stem on, she would not have heeled.

Read over and confirmed.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

HENRY WHITAKER.

I am Chief Engineer of the "Bassano"; and was on board on the 24th February 1912 as Second Engineer.

I saw the "Bassano" in dry dock; and saw the inspection by Captain Seagrave. The stem was twisted; and the plates on either side were buckled and dented in: and in the bottom of the keel-plate two indents—5' apart. And at the end of the stern posts a plate was dented.

I did note any other plates buckled. I did not see the entry in the log. I saw the repairs being done. 15 or 16 plates were taken out; in order to get at the damaged plates.

The stem was taken out to be straightened in the works. Some plates were straightened and some renewed.

I have been on the ship since all the time.

The ship has never been on ground either before or since the collision.

After seeing the ship in dry dock, I thought something had struck the ship. The collision in the Karachi harbour is the only time anything struck the ship.

I should have felt it down below if anything else had caused such damage.

The blow against the stem might have buckled the plates in the keel, and also caused the indentations in the plates.

I do not say that in my opinion that was the cause.

Cross-examined.

I saw the "Bassano" some 5 weeks after leaving Karachi.

I saw the damage done in Karachi. No diver was sent down to see if the boat had grounded; but he was sent to sound the rivets.

I do not know if any steps were taken to see if the boat had grounded.

I do not know what report the diver made.

I heard no talk of the ship having grounded.

The cargo could not have caused the damage to the plates because it was not resting on the skin of the ship. None of it was so resting. The same stem was put back in the ship.

Re-examined.

I do not know if the diver went under the ship's bottom.—

I was then Second Engineer.

I cannot say whether heavy cargo in the back holds of the ship could have affected the chances of damage to the keel.

By the Court—

I was in the engine-room at the collision.

I noticed no signs whatever of the ship taking the ground.

I noticed the shock of the collision, and noted in the log "something struck the ship."

The shock was not violent. We swayed on our feet, we were not thrown down.

The ship never touched the Suez Canal bank; while I was on watch; nor did I ever hear of it doing so. I should have heard it.

Earle's Shipbuilding Company carried out the repairs, their Company is a part of the Wilson Family concern.

Re-examined.

Tenders were called for.

Read over by witness.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

THOMAS HUNTER.

Engineer—ship surveyor and doing repairs—and general contracts for 4 years in Karachi.

I was Engineer Manager to the Burmah Oil Company at Karachi. I have had 12 years experience as a ship's engineer.

I did temporary repairs to the "Bassano" after the collision.

I repaired damage to the bows: the stem was bent $2\frac{1}{2}$"; the rivets were stretched and slack and some of the landing edges of the plates were open: one bulge on the port side forward: I went into the Fore Peak. The cement was in very good condition. No sign whatever of previous leakage in the Fore Peak. If there had been, the iron of the ship's side would have rusted and the cement would have slaked off. There was no sign of such slaking. No signs of rust or rusty water. No sign of any previous injury to the ship.

I caulked all the rivets in the stem; caulked the plates in the ship's side which were open; and also the rivets in those plates.

I carried the cement further up to about the 24' mark. It was 12' 6" before: so the Captain told me. It is not possible to tell that height from outside observation. The damage was caused by collision. The buckling of keel-plates could be caused by collision.

The damage was 20' from the stern post: heavy cargo in the stern holds would tend to induce such buckling—because of the extra weight on top.

The "Bassano" had no projection on her stem.

The "Patrick Stewart" might have got the small hole in a plate by running over a buoy.

I saw the diver go down on either side of the ship: examining chiefly the stem.

Cross-examined.

I did not see the hole in the "Patrick Stewart".

I cannot say whether the anchor chain of the "Bassano" caused it. I have seen Red Buoy No. 2. It has a lamp on it. I have not noted it particularly. The buoy would have been marked if it had caused that hole.

I knew of the collision: and went to carry out the resulting repairs. I sent in a bill to the Agents: and entered therein the work that I did. I took no notes of the injuries to the ship.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

SHAMSUDIN.

Signaller on the "Patrick Stewart." I was on the bridge. I saw one flag on shore. I saw no pennant. I told the Port Officer that I had seen 2 flags one of entry one of departure. That is correct.

Cross-examined.

I spoke of the time when the ship had cast off.

Explained to Shamsudin in Urdu and he admits that it is correct.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

SHEIKH IBRAHIM.

I am head-light keeper. I was on duty at the collision. A vessel came in before the "Bassano." I showed flag No. 4; blue Pennant with a white cross—*i.e.*, of entry of a steamer. I have not entered the time of putting up this flag. I entered time of Pilot's boarding.

When I put up that flag of the "Bassano," the "Patrick Stewart" had not cast off.

Cross-examined.

I knew she was moving, but not at what time.

Explained to Sheikh Ibrahim in Urdu and he admits that it is correct.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

ABDUL KASSIM.

I was on duty at the station. A flag for the "Bassano" entering was hoisted. This was before the "Patrick Stewart" started. No. 4 Flag. Blue Pennant and white cross. I do not know the time. We do not enter the time of showing flags.

Explained to Abdul Karim in Urdu and he admits that it is correct.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

SHEIK ENOOS.

Senior Signallar of Port Office.

I was on duty. I showed No. 4 Flag—Blue Pennant and White Cross. Before the "Patrick Stewart," started.

Cross-examined.

Before that I showed no flag. I knew the "Patrick Stewart," was moving, but when I did not know.

Explained to Sheik Enoos in Urdu and he admits it is correct.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

MUHAMMAD ISHAK.

Boatman of Port Office.

I was on duty, on look out.

I put up No. 4 Flag.

The "Patrick Stewart" left later.

Cross-examined.

Before No. 4 Flag, I signalled a cargo boat from the gulf, at 7—9 a.m. and 10' later No. 4.

I did not know the "Patrick Stewart" was going out.

Explained to Muhammad Ishak in Urdu and he admits it is correct.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

Monday, the 21st October.

CAPTAIN NEVILLE FREDRICK JARRIS WILSON.

I am Port Officer.

On February 23rd the "Patrick Stewart" gave her notice of departure: stating she would sail that day.

This notice was cancelled: a further entry says the "Patrick Stewart" is not sailing till further orders.

It is usual for the "Patrick Stewart" to give a departure report. No such report was handed in on the morning of the 24th. There is no regulation requiring a Government vessel to give such a report.

I held an enquiry, as Port Officer.

I am also a Magistrate. I reported to the Local Government and to the Port Conservators.

The "Bassano" was inspected by the Port Diver—at the stem and the bows.

Cross-examination.

I went on board the "Bassano." I do not think that she grounded. From what I saw of the two ships actually in contact I think it was practically impossible for the "Bassano" to have grounded. I say so, because the "Patrick Stewart" was between her and the Red Buoy; *i.e.*, 30'—40' away to the west of it.

I went up in my launch. The two vessels were at anchor clear of each other. The "Bassano's" anchors were 40'—50' off the buoy.

I saw the injuries to the stem, to the bow-plating and the rivets: they were weeping: they did not appear to have been recently loosened. There was a rusty appearance about the water leaking from them.

I could not say whether the stem was damaged by this collision. The twist was to Port, and one would have expected it to be the other way. I heard 3 blasts—but whether from the "Patrick Stewart" or the "Bassano," I do not know.

Re-examined.

Mr. Jones, as Engineer Surveyor of the Port, called my attention to the rusty water from the rivets. Mr. Jones is also Chief Engineer of the "Patrick Stewart."

I did not notice the surface of the cement.

By the Court—

The buoy was brought ashore, and has been carefully examined. There is no sign of damage. There is a light superstructure containing a lantern, which is not even bent. I am certain neither boat could have run over it.

The buoy has not been moved or repaired in my absence on leave. The buoy has one single fluke anchor and a stock. The moorings have been examined by a diver, and no change in the anchor since it was laid down. The buoy was to the S. at the time on the ebb: it has 28' of cable.

When I boarded, both ships were heading up the channel.

Of the anchor stock 18 inches is above ground.

At the collision, there was 1'-9" water above datum: the channel is there 27'; and the water was therefore 28'-9" at the bows; and aft 27'-5".

The anchors of the "Patrick Stewart" were a ship's length clear of the stern of the "Bassano."

The distance direct from No. 2 Mooring Buoy to the Red Buoy is 1975'; and from the point where the "Bassano" sighted the "Patrick Stewart" to the Red Buoy is 5200'. These measurements I now verify from the chart. I do not know whether the "Patrick Stewart" had 1 or 2 anchors down when I went on board: or how she had been moored.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

21st October 1912.

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EXHIBIT A.

No. 71 of 1912.

INDO-EUROPEAN TELEGRAPH DEPARTMENT
(PERSIAN GULF SECTION).

Sea, dated 26th February 1912.

From

THE COMMANDER,
I. G. T. S. "PATRICK STEWART,"

To

THE DIRECTOR,
PERSIAN GULF SECTION, KARACHI.

SIR,

With reference to my X. T. of yesterday's date reporting a collision between this vessel and the Wilson Liner "Bassano,"—I have the honor to give below full particulars of the accident and also enclose copy of the letter sent by me reporting the accident to the Port Officer, Karachi, and a list of defects to be made good by the R. I. M. Dockyard authorities.

As you will see from my letter to the Port Officer I got under weigh from the mooring off Manora at 7-25 a.m., that is half an hour after receiving your definite orders to proceed to sea, at the time of casting off from the buoy there was no signal hoisted on the Port Flag Staff to indicate that a vessel was entering the Port as is the custom, though there was one showing that a steamer had been sighted and I consequently anticipated no difficulty or danger in taking the ship safely out of port. When turned broadside across the channel I noticed a deep cargo ship had rounded the breakwater to enter the port, but as she could plainly see the position of my vessel and that we were turning in the usual way it was only natural to conclude that she would keep well outside the harbour till my vessel was round and had got on to the proper side of the channel to pass, consequently I continued to manœuvre to get into the necessary position; she, however, did not stop, but came on and rendered it impossible for me to attempt to get into this position, as to do so I must have crossed her bows and run very great risk of being cut down when I was broadside on, and in that case my ship would almost certainly have gone to the bottom and I am convinced that my action in keeping over on the east side of the channel was the only possible course open to me, unless I had taken the risk of going inside the channel buoy and the ship grounding: but as these are technical points that will have to be considered when the official enquiry is held, it is unnecessary for me to go into them now.

The Port Officer has taken the usual preliminary evidence of myself and Officers and certain of the crew and anything further that has to be done in connection with an Enquiry will, I presume, be intimated by him.

As I understand that in accidents of this nature the ship found in fault has to make good the damage to both vessels, I instructed Mr. Fraser, Superintendent, Machinery, Karachi Port Trust, to make a survey of the "Bassano" in the interests of this ship, and I have written to him asking him to send his report on the damage direct to you as he had no time to make it out before I left Karachi.

In addition to the damage shown in the accompanying R. I. M. defect list, the following was also done and temporary repairs made by the Karachi Port Trust. A small hole in plating amidships, on the star side, patched in such a way that nothing further need be done till the ship next goes into dry dock, when it will be necessary to put on a permanent doubling plate. The 6 square ports damaged were taken off.

The jolly boat and whaler, boats on the starboard side, were damaged and are unfit for repair. They were both old boats that had become unfit for sea service owing to wear, tear and age; it was my intention to survey and replace before the accident happened. I intended seeing

the Dock Yard Officials about this while in Bombay to ensure our getting boats to suit us as the Jolly, which is our cabling buoy boat, is of a special build to suit the rough work she has to do. The whaler is of the ordinary service pattern and I am indenting on the R. I. M. for a new one. If they have one in stock I can get it while the ship is in Bombay and so save the freight on it to Karachi. The second cutter only sustained slight damage which will be put right by the ships staff.

The Port diver examined the hull under water in the vicinity of the holed part and found no further damage.

As it is probable that the representative of the S. S. "Bassano" will have legal assistance in any enquiry that may be made as the result of the preliminary enquiry, I would suggest that the Government Legal Adviser be instructed to act on behalf of our Department.

I have the honour to be,

Sir,

Your most obedient Servant,

(Sd.) F. W. TOWNSEND,

Commander,

I. G. T. S. "Patrick Stewart."

EXHIBIT B.

No. 70 of 1912.

INDO-EUROPEAN TELEGRAPH DEPARTMENT
(PERSIAN GULF SECTION).

Dated 24th February 1912.

From

THE COMMANDER,
I. G. T. S. "Patrick Stewart,"

To

THE PORT OFFICER, KARACHI.

Sir,

I have the honor to report that when leaving the port this morning the vessel under my command collided with the S.S. "Bassano" under the following circumstances:—

At 7-25 a.m. I let go from No. 2 Manora Moorings, the tide being ebb and turned the ship in Port helm, when half round a vessel was seen entering the port from sea and my first intention was to go over to the west side of the channel, and indicated my intention by giving one short blast on the whistle, but later considering it would be unsafe to cross the bows of the S.S. "Bassano," I gave 2 blasts and kept to the Port side being already close over on that side of the channel. As the ship drew close, seeing a collision imminent, I went full speed astern and let go both anchors.

The damage sustained was confined to the upper works, except in one place about one foot below the water line where a small hole was made in the plating amidships and the butt strays started .The 3 Star boats were swept away, one davit broken, others bent, 6 square ports twisted and damaged and other small damages done.

I would add that a steamer flag was hoisted on the flagstaff when getting under weigh but no flag could be seen to indicate that a vessel was entering the port—had the usual pennant been hoisted on the flagstaff I should not have moved till the vessel had passed.

I have, etc.,

(Sd.) F. W. TOWNSEND,
Commander, "Patrick Stewart."

True copy.

(Sd.) F. W. TOWNSEND,
Commander, "Patrick Stewart."

EXHIBIT C.

SURVEY REPORT OF S. S. "BASSANO."

This is to certify that the undersigned did, at the request of Captain F. W. Townsend of the I. G. T. S. "Patrick Stewart," attend on board the S.S. "Bassano" in company with F. H. Jones, Chief Engineer, who is also a Government Surveyor, on the 24th of February 1912, to survey and report on the damage done to S. S. "Bassano" after having been in collision with the I. G. T. S. "Patrick Stewart." On examination I found as follows:—A number of rivets loosened, the stem bent about 2″ and the plates slightly buckled about one foot from the stem on the Port side. On examining inside of ship's forward peak I found the forepart was filled with cement up to about 12′-6″ draught and had the appearance of having been damaged formerly; when lining out the stem I found it about 2″ out of straight not discernible from a distance, the bend in stem did not appear to be where it had been in contact with the "Patrick Stewart," the plate was a little bulged by the S.S. "Bassano" anchor chain at about 23 feet draught mark about 1 foot from the stem on the Port side. I may mention that I questioned the Captain why the cement had been filled in formerly but he replied he could not give any reason. It is quite possible the bend of the stem may have been due to a previous accident. As I had an accident on the 27th, Mr. Mayes, Government Surveyor, was appointed to see the necessary repairs carried out.

C. A. MAYES,
Engineer Surveyor, Karachi.

J. D. FRASER, M. I. M. E.,
Engineer Surveyor, Karachi.

EXHIBIT D.

INDO-EUROPEAN TELEGRAPH DEPARTMENT
(PERSIAN GULF SECTION).

Dated the 29th June 1912.

From

THE CHIEF ENGINEER,
I. G. T. S. "Patrick Stewart,"

To

THE COMMANDER,
I. G. T. S. "Patrick Stewart."

SIR,

With reference to your letter No. 196, with enclosures 2, a decipherment of a telegram from the Director-in-Chief to the Director, Persian Gulf Telegraphs, dated 25th June 1912, I have the honour to state that my reasons for assuming that the *forepart* of the S. S. "Bassano" met with an impact on some former occasion are, that when examining the fore-peak and stem internally on the 24th February 1912 with Mr. Fraser, we found cement up to about *12 feet 6 inches draught*, filled in, as if there had been an accident on some former date; this filling in is not customary when new ships are built.

We also saw a number of loose rivets with thick rusty water dripping down from their heads, and I told the Captain of the "Bassano" who was with us at the time, that they were of old standing. Mr. Fraser also asked him why the cement filling was there, he told him he could give no reasons.

On lining the stem from outside we found it 2 inches out of alignment, and this part of the stem did not appear to be the place where the "Patrick Stewart" collided.

The only apparent damage done to the bows of the "Bassano" was at about 23 feet draught, and a foot abaft the stem, the plate being slightly buckled and the paint cracked on the inside, due to the chain cable of the "Bassano" being between the both vessels when in collision.

In conclusion I may state that I have been Shipwright and Engineer Surveyor of the Port for the past 23 years, and with my experience as such, and these class of accidents, must say that the tonnage and draught of the "Patrick Stewart" with the *2 slight indentures and cracked plates* caused by the aforementioned impact, was not sufficient to have caused this *deflection* to the stem of the "Bassano".

I have the honour to be,

Sir,

Your most obedient Servant,

F. H. JONES, M.I.M.E.,
Chief Engineer, I. G. T. S. "Patrick Stewart."

EXTRACT FROM LOG OF THE I. G. T. S. "PATRICK STEWART."

Saturday, the 24th February 1912.

7-25—Slipped from No. 2 buoy and proceeded to turn Commanders orders. Engines as required. Ebb tide. Observed "Bassano" rounding breakwater when athwart the tide.

7-31—Stop manœuvring.

7-39—Full speed astern; let go both anchors.

7-40—Stopped. Wilson line S. S. "Bassano" struck jolly boat starboard side and swept starboard side, one davit 2nd cutter broken, 5 davits bent, 6 square ports broken, holed in carpenter's cabin just below water line on butt strap, steam pipe carried away, bridge stanchions and rails, bowl of standard compass, ash shoots and other small damage.

7-54—Pilot Cuthbert in charge proceeded back to No. 2 swing mooring.

8-13—Shackled on.

True copy.

(Sd) H. S. LAWRENCE,
District Magistrate and President.

18th October 1912.

EXHIBIT E.

Extract from Hull specifications of the " Bassano " built by Russel & Co., Port Glasgow.

30—cementing.

The bottom internally to height of bilge, to be coated with Portland cement, of sufficient thickness to protect rivet heads, etc.: crevices at the bow and stern to be filled up solid with light material, and cemented on top; the top of the cellular ballast tanks to be tarred and cemented, before ceiling is laid. All steel work inside of cellular bottom to be coated with cement wash.

True copy.

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

19th October 1912.

Points at issue.

1. Q.—At 7.25 a.m. was any signal up indicating a ship entering the harbour?

   A.—No.

2. Q.—If so, was Captain Townsend negligent in not observing that signal?

   A.—No.

3. Q.—If so, was Captain Townsend negligent in taking his ship too far into the channel?

   A.—No such signal was up.

4. Q.—If no such signal was up, was Captain Townsend negligent in the course he took?

   A. No.

5. Q.—When Captain Townsend saw the "Bassano," did he signal with his whistle?

   A.—Yes.

6. Q.—Was there any negligence in the signals which he made?

   A.—No.

7. Q.—Was his ship not fully under control?

   A.—Yes, fully under control.

7 (*a*) Q.—Was the tide flowing strong?

   A.—Not very strong.

8. Q.—Was he unable by competent handling to gain the starboard or western side of the channel heading seaward?

   A.—No.

9. Q.—Was he justified in expecting the "Bassano" to stop in the mouth of the harbour?

   A.—No.

10. Q.—Is it true that his ship was ever clear of the "Bassano" port to port?

    A.—No.

11. Q.—Was he negligent in not reversing his engines and anchoring when he was 600′ distant?

    A.—He should have reversed, but not necessarily anchored.

12. Q.—Is it true that he dropped his anchors after the collision?

    A.—Yes.

13. Q.—Is it true that he was ever clear starboard to starboard?

    A.—No.

14. Q.—Did Captain Townsend give notice to the pilots of his leaving the harbour?

    A.—No.

15. Q.—If not, was he negligent in this omission?

    A.—No.

Next in regard to Captain Boxhall of the S. S. "Bassano."

16. Q.—Is any negligence of any kind proved against Captain Boxhall?

A.—No.

17. Q.—Was Mr. Pilot Potbury aware that any steamer was leaving the harbour?

A.—No; he had no definite orders.

18. Q.—When the pilot saw the "Patrick Stewart" in the channel, was he negligent in not stopping the "Bassano"?

A.—No.

19. Q.—When he saw the "Patrick Stewart" drawing nearer in the middle of the channel, was he negligent in steering for the starboard channel?

A.—No.

20. Q.—Was he negligent in not stopping the steamer before he came close to red buoy No. 2?

A.—There was no negligence, but it would have been more prudent to have stopped sooner.

21. Q.—If the pilot had steered to port, would it have been possible for the two ships to pass starboard to starboard?

A.—No.

22. Q.—Was he negligent in not adopting this course?

A.—No.

23. Q.—In regard to the damage done to the "Patrick Stewart," is the account given by Captain Townsend accepted as correct.

A.—Yes.

24. Q.—Did the "Patrick Stewart" run over the red buoy?

A.—No.

25. Q.—In regard to the damage done to the S.S. "Bassano." Was this ship twisted to the port side by the collision which is described—by the witnesses of the "Bassano" as resulting from the "Patrick Stewart" crossing her bows from port to starboard?

A.—Yes, in our opinion it is possible.

26. Q.—Was the bulge under the forepeak caused by the "Bassano" touching the ground or an anchor as a result of the collision?

A.—The evidence produced does not suggest that this was possible.

27. Q.—Was it possible for the "Bassano" to run over her own anchor or the anchor of the "Patrick Stewart?

A.—No.

28. Q.—Was the damage to the other plates at the bottom of the "Bassano" caused by the collision?

A.—No.

29. Q.—Was it possible for the "Bassano" to touch the ground at that part of the channel?

A.—No.

30. Q.—In regard to the cement up to 12'-6" mark, is it proved that this cement was placed in the ship at the time of building?

A.—No proof.

31. Q.—Or is it possible that the cement was put to repair the damage caused by some previous accident?

A.—It is possible.

32. Q.—At the time of the collision was the "Bassano" stationary?

A.—Yes.

33. Q.—At what speed was the "Patrick Stewart" moving?

A.—We cannot estimate.

34. Q.—Was the impact violent, or did the "Patrick Stewart" just scrape by?

A.—The impact was not violent, the "Patrick Stewart," scraped by.

(Sd.) H. H. BRIDGER,
Master, S. S. "Baron Ogilvy."

(Sd.) ARTHUR J. ELLIOT,
Master, S.S. "City of Calcutta."

FINDING.

On February 23rd, 1912, the S. S. "Patrick Stewart" moved from the telegraph to No. 2 Mooring and awaited orders to proceed out of the harbour. Captain Town his departure report to the Port Officer, but left the time of departure to be filled i pilot who should observe the actual time of departure from the pilot station. He did until the next day and sent no further report. He sent no notice to the pilots for entr order book regarding the proposed time of departure and the pilots who went out to vessels in had therefore no intimation of his proposed departure. This was a brea established custom, though not of any regulation.

2. He cast off his moorings at 7-25 a.m.; the sun rose at 7-31 a.m. It was bro light and the lights used for signalling on the light-house platform were not visible. customary to put up flag signals after sunrise. At 7-25 a.m. no flag signal indicating entering the harbour had been put up, but one flag was flying indicating a ship in sig the harbour. Captain Townsend seeing this flag flying and none other understood th mouth of the harbour was clear and got under weigh.

3. At this moment the S. S. "Bassano" was approaching the break-water in charg pilot Potbury. The two vessels were hidden from the sight of each other by the ro Manora. They sighted one another when Captain Townsend was some 200 from his moo and in the channel and the "Bassano" was passing the break-water and entering the mout the harbour. Both vessels signalled, one short blast indicating that each was under port-h making each for her starboard side of the channel. There is sufficient room in the channel two vessels to pass each other and neither at this moment anticipated any danger. They w 1¼ miles apart. The tide was at the last of the ebb and not strong; the "Bassano" enter against the tide was under complete control; the "Patrick Stewart" was manœuvring to t with the tide.

4. There is a conflict of evidence whether Captain Townsend succeeded in turning th "Patrick Stewart" so far as to be able to pass the "Bassano" on his proper side of the chan port to port. Captain Townsend asserts that he was unable to clear the "Bassano" port to port, and when his ship was facing southwards down the channel it was only possible for him to pass starboard to starboard. He denies that he altered his course to cross the bows of the "Bassano" from port to starboard.

5. On the point whether the two vessels were clear port to port there is the evidence—

(1) of pilot Munro who, looking down the channel from a distance of 1,000 yards, saw the two vessels entirely clear of one another;

(2) of pilot Bennie who, looking from a distance of 60', asserts that they were almost end on and that a continuation under port-helm would have brought the "Patrick Stewart" clear;

(3) of pilot Potbury, of the Captain of "Bassano," and of the first officer of the "Bassano" who state that the "Patrick Stewart" had her port side open.

We are unable to accept this evidence as correct. We consider the pilots Munro and Bennie were too eager to give evidence in condemnation of the "Patrick Stewart." We consider that the "Patrick Stewart" was being carried down by the tide and was still heading south south-east when she came within 600 feet of the "Bassano," and that when she had arrived at this point, it would have been safer to have continued on the port-helm and if necessary have reversed her engines. In this way she would have been able to pass port to port.

6. At the moment of the collision when the "Bassano" reversed her engines and dropped her anchors she slightly canted to her starboard and partly closed in the passage that was previously open between the "Bassano" and the red buoy. This brought the "Patrick Stewart" across her bows from port to starboard. The impact was slight and the "Patrick Stewart" scraped by starboard to starboard.

7. But while this explains the immediate manner of the collision, we are strongly of opinion that the collision ought never to have occurred and that it was primarily due to the handling of the "Patrick Stewart." Captain Townsend sighted the "Bassano" at a distance of 1¼ miles. He had no justification to expect that she would anchor until he passed out of the harbour. It would have been quite possible for him to have backed his vessel to the western side of the channel, and even when he was nearing the "Bassano" had he reversed his engines the collision would have been avoided.

8. We dismiss as incredible the allegation that when he had a course clear of standing out to sea and passing port to port, he attempted to cross the bows of the "Bassano" to pass her on the wrong side of the channel starboard to starboard; but we are unable to acquit him of an error of judgment in allowing his ship to go so far on the east side of the channel.

n regard to the conduct of individuals therefore we are of opinion (1) that Captain he "Bassano" is free from all blame and gave his pilot all assistance; (2) that pilot served the regulations in handling the S. S. "Bassano" and is consequently free ; (3) that Captain Townsend is responsible for not having backed his ship to the of the channel when he saw the S. S. "Bassano" entering the harbour.

Next in regard to the damage, we consider that the account given by Captain of the damage to the "Patrick Stewart" is correct and that such damage was caused ht and not a violent impact against the stem of the "Bassano."

In regard to the "Bassano" we accept as conclusive the evidence of the Port Officer re were nearly 4′ of water under the "Bassano" at the stern and the Captain of the no" has stated that the bows were 5′ higher than the stern. The depth of the water he bows was therefore 9′. It is impossible that the damage subsequently found in the of a plate under the forepeak and the buckling of other plates in the bottom was either by the ship taking the ground or striking against an anchor as a result of this on.

12. We consider that it is possible that the impact of the "Patrick Stewart" might have d the stem of the "Bassano," but we are quite unable to judge whether the cement which und placed as high as the 12′ 6′ mark was so placed at the time when the ship was ructed. Some cement was certainly placed in the forepeak at the time of construction he specification in Exhibit E does not state how much and we are told by the Chief Officer e "Bassano" that the cement now in the ship is lower than the 12′ 6″ mark and has been ely re-arranged.

13. There is a conflict of evidence between the Captain and the Chief Officer of the assano" and the Surveyor employed by the agents on the one side and the Officers of the atrick Stewart" and Mr. Fraser and the Port Officer Captain Wilson on the other side, the point whether there was any damp or leakage in this cement and we accept the evidence the Officers of the "Patrick Stewart," supported as it is by the independent evidence of Captain Wilson that rusty water was leaking from certain rivets in the cement and that those rivets were stretched and weeping.

Our finding therefore is that the damages caused to the "Bassano" by the collision may have been the following:—

(1) the twisting of the stern;

(2) the two bulges in bow plates on the Port side at 17′ and 23′;

(3) the scraping on the starboard side.

We do not think that the damage to the bottom plating could have been caused by the collision or any operations connected with the manœuvres of the "Bassano" at this time.

(Sd.) ARTHUR J. ELLIOT,
Master, S.S. "City of Calcutta."

(Sd.) H. H. BRIDGER,
Master, S.S. "Baron Ogilvy."

(Sd.) H. S. LAWRENCE,
District Magistrate and President.

Karachi, 21st October 1912.

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Extract from Captain Townsend's evidence: lines 99 to 12/2.

DAMAGE DONE TO "PATRICK STEWART."

One plate few inches below the water line was holed; and was also bulged. The plate below was bulged and the butt-strap was started: The inner plate in this position was cracked: fractured.

(I am referring to notes which I copied on June 20 from rough notes which I made at the time.)

Two boats were broken entirely, and one boat damaged.

One boat's davit was broken short off and five davits bent.

All gear attached to the davits was rendered useless.

Several poop awning stanchions were bent. Coaling port was torn off. Five or six square ports were twisted and damaged.

Light screens were smashed on both sides.

Bridge awning stretchers were broken.

True extract.

H. S. LAWRENCE,
District Magistrate and President, Karachi.

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